



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,370	07/27/2001	Matthew G. Lopez	10011763-1	7606

7590 05/19/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
----------

MILIA, MARK R

ART UNIT	PAPER NUMBER
----------	--------------

2622

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/916,370

Applicant(s)

LOPEZ ET AL.

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-15 and 20-35 is/are rejected.
- 7) ☒ Claim(s) 12, 16-19 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/27/01 &amp; 1/18/05</u> | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference character (92). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 1A and 1B, reference character (120). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any

amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to because in Fig. 1A, (60') should be (60) and in Fig. 1B, (22) should be (22'). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. On page 2, line 16, the use of a hyperlink is not necessary to understand the invention. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation "the filter criteria" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 20030123079 to Yamaguchi et al. as cited on Information Disclosure Statement dated January 18, 2005.

Regarding claims 1 and 29, Yamaguchi discloses a method and system of printing with a printing system, comprising: analyzing a web page with the printing system to identify image files associated with the web page (see paragraphs [0084]-[0087]), filtering the image files with the printing system according to predetermined criteria so as to identify qualified image files (see Figs. 5-9, Table 1, and paragraphs [0113], and [0116]-[0189], reference shows a plurality of options available to a user that filter image content and output which is analogous to the claim limitation), selecting at least one of the qualified image files (see paragraphs [0095]-[0098] and [0104]), and printing the selected ones of the qualified image files (see paragraphs [0104]-[0105]).

Regarding claim 2, Yamaguchi discloses the system discussed in claim 1, and further discloses electronically acquiring the web page with the printing system (see paragraphs [0084]-[0087] and [0100]).

Regarding claim 3, Yamaguchi discloses the system discussed in claim 1, and further discloses electronically obtaining the selected ones of the qualified image files (see paragraphs [0084]-[0087], [0095]-[0098], [0100]-[0105], [0113], and [0116]-[0189]).

Regarding claim 4, Yamaguchi discloses the system discussed in claim 2, and further discloses providing a web page identifier (see paragraph [0102]) and downloading to the printing system a web page source file that corresponds to the web page identifier (see paragraphs [0111]-[0113]).

Regarding claim 5, Yamaguchi discloses the system discussed in claim 4, and further discloses performing a dialog according to http protocol to obtain the web page source file (see paragraphs [0111]-[0112]).

Regarding claim 6, Yamaguchi discloses the system discussed in claim 4, and further discloses wherein the web page identifier is a URL (see paragraph [0102]).

Regarding claim 7, Yamaguchi discloses the system discussed in claim 4, and further discloses wherein the web page identifier is prestored in the printing system (see Fig. 10 and paragraph [0244]).

Regarding claim 8, Yamaguchi discloses the system discussed in claim 4, and further discloses wherein the web page source file contains markup text, and wherein the analyzing further comprises parsing the markup text to identify the image files associated with the web page (see paragraphs [0111]-[0112]).

Regarding claim 9, Yamaguchi discloses parsing the markup text to identify image file pathnames embedded therein (see paragraphs [0112], [0119]-[0120], [0127]-[0128], and [0154]-[0155]), determining which ones of the image files are located at the corresponding image file pathnames (see paragraphs [0119]-[0120], [0127]-[0128], and [0154]-[0155]), and determining which other ones of the image files are located at other pathnames associated with the corresponding image tile pathnames (see paragraphs [0119]-[0120], [0127]-[0128], and [0154]-[0155]).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 13-15, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi as applied to claim 1 above, and further in view of U.S. Patent No. 6141111 to Kato as cited on Information Disclosure Statement dated July 27, 2001.

Regarding claim 10, Yamaguchi does not disclose expressly printing a proof sheet for the qualified image files, the proof sheet having for each of the qualified image files an image indicia and a corresponding selection area, marking at least one of the selection areas corresponding to at least one of the qualified image tiles to be printed,



optically scanning the marked proof sheet to form a scanned image, and processing the scanned image so as to determine the selected ones of the qualified image files.

Kato discloses printing a proof sheet for the qualified image files, the proof sheet having for each of the qualified image files an image indicia and a corresponding selection area (see Fig. 4 and column 5 line 25-column 6 line 5), marking at least one of the selection areas corresponding to at least one of the qualified image tiles to be printed (see Fig. 4 and column 5 lines 35-47), optically scanning the marked proof sheet to form a scanned image (see Fig. 1 and column 6 lines 21-25, reference states that the operator enters the desired information onto the designation sheet and then inputs the sheet into the image printer, this is done by use of the attached scanner, further support for this can be found in claims 1, 3, and 11, therefore the reference disclose the claimed limitation), and processing the scanned image so as to determine the selected ones of the qualified image files (see column 6 lines 26-44).

Regarding claim 13, Yamaguchi does not disclose expressly wherein the image indicia is a thumbnail image.

Kato discloses wherein the image indicia is a thumbnail image (see Fig. 4 and column 5 lines 39-41 and 50-61).

Regarding claim 14, Yamaguchi does not disclose expressly wherein the image indicia is a filename.

Kato discloses wherein the image indicia is a filename (see Fig. 4 (102), reference states that the compressed data becomes the **basis** of the image index portion (102) and as shown in figure 4 it can also be the filename, i.e. image A).

Regarding claim 15, Yamaguchi does not disclose expressly wherein the printing a proof sheet further comprises obtaining the qualified image files and processing each of the qualified image files to form the corresponding thumbnail image.

Kato discloses wherein the printing a proof sheet further comprises obtaining the qualified image files and processing each of the qualified image files to form the corresponding thumbnail image (see column 5 lines 50-61).

Regarding claim 35, Yamaguchi does not disclose expressly printing a proof sheet for the qualified image files, the proof sheet having for each of the qualified image tiles an image indicia and a corresponding image specifier, and providing at least one of the image specifiers to the printing system so as to determine the selected ones of the qualified image files.

Kato discloses printing a proof sheet for the qualified image files, the proof sheet having for each of the qualified image tiles an image indicia and a corresponding image specifier (see Fig. 4 and column 5 line 25-column 6 line 5) and providing at least one of the image specifiers to the printing system so as to determine the selected ones of the qualified image files (see column 5 lines 5-22 and column 6 lines 11-52).

Yamaguchi & Kato are combinable because they are from the same field of endeavor, printing images from a designated source using print criteria.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the proof sheet printing a marking process as described by Kato with the system of Yamaguchi.

The suggestion/motivation for doing so would have been to provide an efficient way to acquire copies of prints with the desired properties using only a multifunction printer.

Therefore, it would have been obvious to combine Kato with Yamaguchi to obtain the invention as specified in claims 10, 13-15, and 35.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato and Yamaguchi as applied to claim 10 above, and further in view of U.S. Patent No. 6784925 to Tomat et al.

Kato and Yamaguchi do not disclose expressly wherein the printing a proof sheet further includes printing at least one identity marker indicative of a web location for each of the image files.

Tomat discloses wherein the printing a proof sheet further includes printing at least one identity marker indicative of a web location for each of the image files (see Fig. 41 and column 13 lines 16-28).

Kato, Yamaguchi, & Tomat are combinable because they are from the same field of endeavor, printing images from a designated source using print criteria.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the identity marker as shown by Tomat with the system of Kato and Yamaguchi.

The suggestion/motivation for doing so would have been to provide an image files location information to allow a plurality of users to locate a particular image file with ease.

Therefore, it would have been obvious to combine Tomat with Kato and Yamaguchi to obtain the invention as specified in claim 11.

Claims 20-27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Yamaguchi.

Regarding claims 20 and 30, Kato discloses a method and system of printing with a multifunction printing system, comprising: printing a proof sheet for at least some of the image files, the proof sheet having an image identifier and at least one corresponding selection area for each of the at least some of the image file (see Fig. 4 and column 5 line 25-column 6 line 5), marking at least one of the selection areas corresponding to at least one of the image files to be printed (see Fig. 4 and column 5 lines 35-47), optically scanning the marked proof sheet so as to determine marked selection areas (see Fig. 1 and column 6 lines 21-25, reference states that the operator enters the desired information onto the designation sheet and then inputs the sheet into the image printer, this is done by use of the attached scanner, further support for this can be found in claims 1, 3, and 11, therefore the reference disclose the claimed limitation), and printing the image files associated with the marked selection areas (see Fig 5 (S9) and column 6 lines 39-44).

Kato does not disclose expressly automatically analyzing a web page to identify image files associated with the web page.

Yamaguchi discloses automatically analyzing a web page to identify image files associated with the web page (see paragraphs [0084]-[0087]).

Regarding claim 23, Kato discloses a multifunction printing system comprising: an image proofing subsystem coupled to the web page analysis subsystem for forming a user-markable proof sheet having an indicia of each of the certain image files and a user-designation area associated with each indicia (see Figs. 4 and 8 and column 5 line 25-column 6 line 5), a proof sheet analyzer subsystem adapted to identify the user-designated ones of the certain image files from the marked proof sheet and obtain the user-designated ones of the certain image files (see Figs. 1 and 2 and column 5 line 25-column 6 line 52), and an image printing subsystem coupled to the proof sheet analyzer subsystem for printing the user-designated ones of the image files (see Fig. 1 and column 6 lines 11-52).

Kato does not disclose expressly a web page analyzer subsystem for identifying and obtaining certain image files associated with a specified web page.

Yamaguchi discloses a web page analyzer subsystem for identifying and obtaining certain image files associated with a specified web page (see paragraphs [0084]-[0087], [0095]-[0098], [0100], and [0102]-[0105]).

Regarding claim 31, Kato discloses a multifunction printing system, comprising: means for forming a user-markable proof sheet having an indicia of each of the certain image files and a user-designation area associated with each indicia (see Figs. 4 and 8

and column 5 line 25-column 6 line 5), means for identifying the user-designated ones of the certain image files from the marked proof sheet (see column 6 lines 11-52), means for obtaining the user-designated ones of the certain image files (see Figs. 4 and 8 and column 6 lines 39-44), and means for printing the user-designated ones of the image files (see column 6 lines 39-44).

Kato does not disclose expressly means for identifying and obtaining certain image files associated with a web page.

Yamaguchi discloses means for identifying and obtaining certain image files associated with a web page (see paragraphs [0084]-[0087], [0095]-[0098], [0100], and [0102]-[0105]).

Kato & Yamaguchi are combinable because they are from the same field of endeavor, printing images from a designated source using print criteria.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the web page analyzer to identify images to be output by a printer as described by Yamaguchi with the system of Kato.

The suggestion/motivation for doing so would have been to provide greater access to image files, using a multifunction printer only, that may be located on a remote network, such as the Internet.

Therefore, it would have been obvious to combine Yamaguchi with Kato to obtain the invention as specified in claims 20, 23, 30, and 31.

Regarding claim 21, Kato and Yamaguchi disclose the system discussed in claim 20, and Yamaguchi further discloses automatically filtering the image files according to predetermined criteria so as to determine the image files (see Figs. 5-9, Table 1, and paragraphs [0113], and [0116]-[0189], reference shows a plurality of options available to a user that filter image content and output which is analogous to the claim limitation).

Regarding claim 22, Kato and Yamaguchi disclose the system discussed in claim 20, and Kato further discloses wherein each selection area includes a plurality of size fields, each size field for specifying a different one of a print size for the corresponding image file (see Fig. 8 and column 8 lines 8-21), wherein the marking includes marking at least one of the size fields (see Fig. 8 and column 8 lines 8-21 and 32-38), wherein the scanning includes determining the marked size fields (see column 8 lines 36-46), and wherein the printing the image files further includes printing each selected image file in the print size indicated by the corresponding marked size field (see column 8 lines 39-55).

Regarding claim 24, Kato and Yamaguchi disclose the system discussed in claim 23, and Yamaguchi further discloses an internet access subsystem coupled to the web page analyzer subsystem and the proof sheet analyzer subsystem for obtaining the certain image files (see Fig. 1 and paragraphs [0084]-[0087]).

Regarding claim 25, Kato and Yamaguchi disclose the system discussed in claim 23, and Kato further discloses a printer subsystem coupled to the image proofing subsystem for printing the user-markable proof sheet and coupled to the image printing

subsystem for printing the user-designated ones of the image files (see Fig. 1, column 5 line 50-column 6 line 5, and column 6 lines 11-52).

Regarding claim 26, Kato and Yamaguchi disclose the system discussed in claim 23, and Kato further discloses a scanner subsystem coupled to the proof sheet analyzer subsystem for optically scanning the marked proof sheet (see Fig. 1 and column 6 lines 21-25, reference states that the operator enters the desired information onto the designation sheet and then inputs the sheet into the image printer, this is done by use of the attached scanner, further support for this can be found in claims 1, 3, and 11, therefore the reference disclose the claimed limitation).

Regarding claim 27, Kato and Yamaguchi disclose the system discussed in claim 23, and Yamaguchi further discloses wherein the web page analyzer subsystem designates the certain image tiles from among all image files associated with the web page based on filter criteria (see Figs. 5-9, Table 1, and paragraphs [0113], and [0116]-[0189]).

Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6657702 to Chui et al. in view of Kato.

Chui discloses a method of printing with a printing system comprising analyzing a web page with the printing system to identify image files associated with the web page (see Fig. 5, column 10 lines 42-51, column 12 lines 39-51, column 13 line 66-column 14 line 8, and column 15 lines 36-47), a corresponding image specifier for each qualified one of the image files (see column 14 lines 15-22), providing at least one of the image



specifiers to the printing system (see column 14 lines 15-22), and printing the image file associated with each of the provided image specifiers (see column 10 lines 59-65 and column 14 lines 49-52).

Chui does not disclose expressly printing a proof sheet for qualified ones of the image files, the proof sheet having an image identifier and corresponding specifier for each qualified one of the image files.

Kato discloses printing a proof sheet for qualified ones of the image files, the proof sheet having an image identifier and corresponding specifier for each qualified one of the image files (see Fig. 4 and column 5 line 25-column 6 line 5).

Chui & Kato are combinable because they are from the same field of endeavor, printing images originating on a digital camera.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the proof sheet printing and processing as described by Kato with the system of Chui.

The suggestion/motivation for doing so would have been to provide a quick reference guide of images available for the user to print in hard copy form with associated image information.

Therefore, it would have been obvious to combine Kato with Chui to obtain the invention as specified in claim 32.

Regarding claim 33, Chui and Kato disclose the system discussed in claim 32, and Chui further discloses wherein each image specifier is an alphanumeric value, and

Art Unit: 2622

wherein the providing includes entering the alphanumeric value into a user interface of the printing system (see column 14 lines 15-22).

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chui and Kato as applied to claim 32 above, and further in view of Yamaguchi.

Chui and Kato do not disclose expressly filtering the identified image files to determine the qualified ones of the image files.

Yamaguchi discloses filtering the identified image files to determine the qualified ones of the image files (see Figs. 5-9, Table 1, and paragraphs [0113], and [0116]-[0189], reference shows a plurality of options available to a user that filter image content and output which is analogous to the claim limitation).

Chui, Kato, & Yamaguchi are combinable because they are from the same field of endeavor, printing images from a designated source using print criteria.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the filtering of images as described by Yamaguchi with the system of Chui and Kato.

The suggestion/motivation for doing so would have been to provide images that coincide with the options and properties selected by a user to enhance system efficiency.

Therefore, it would have been obvious to combine Yamaguchi with Chui and Kato to obtain the invention as specified in claim 34.

***Allowable Subject Matter***

8. Claims 12 and 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claim 28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to U.S. Patent numbers 6017157 (Garfinkle et al.), 6122657 (Hoffman, Jr. et al.), 6667814 (Tillotson), and 6701350 (Mitchell) and U.S. Patent Application Publication numbers 2001/0049703 (Miyoshi et al.), 2002/0087546 (Slater et al.), 2003/0026612 (Ohta), and 2003/0035144 (Shima).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

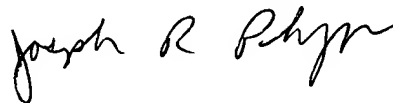
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia  
Examiner  
Art Unit 2622

MRM

JOSEPH R. POKRZYWA  
PRIMARY EXAMINER  
ART UNIT 2622

A handwritten signature in black ink, appearing to read "Joseph R. Pokrzywa".